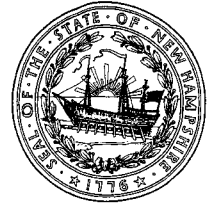


The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

February 3, 2006

LETTER OF DEFICIENCY# WSEB 06-023
Certified Mail# 7099 3400 0003 6156 7068

Davida Cook
Dakota Leather
PO Box 1506
Meredith, NH 03253

Subject: Laconia - Public Water System: JT's Bar BQ and Seafood (EPA# 1288290)

Dear Ms. Cook:

The records of the Department of Environmental Services (DES) show that JT's Bar BQ and Seafood Restaurant water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more services, or 25 or more people, for 60 or more days per year. As such, the water system owner is required to submit samples to the NH State laboratory or a State-certified laboratory for coliform bacteria and chemical analyses in compliance with NH Administrative Rules Env-Ws 325 and 326. Pursuant to Env-Ws 351, a PWS owner is also required to perform public notice of a monitoring/reporting violation within 30 days of learning of the violation and to submit proof of public notice to DES within 10 days of performing the public notice.

DES records indicate that the subject water system failed to submit a bacteria sample result during the system's assigned bacteria sampling month of November 2005. As a result, a Notice of Violation (NOV), dated December 27, 2005, was sent to you. The NOV requested that a make-up bacteria sample be submitted immediately and requested that proof of public notice of the monitoring violation be sent to DES. To date, DES has not received the results of any make-up bacteria sample analysis, or the proof of public notice for the November 2005 bacteria monitoring violation.

In addition, the referenced water system was required to submit a nitrate sample and a nitrite sample during the third quarter of 2005 (July through September). DES did not receive the results of these chemical monitoring samples. As a result, a NOV, dated October 19, 2005, was sent to you. The NOV requested that make-up nitrate and nitrite samples be collected immediately. To date, DES has not received the results of the nitrate or nitrite make-up sample analyses.

DES believes the above cited violations can be corrected and future violations prevented by taking the following actions:

1. **By February 24, 2006**, submit a water sample for bacteria analysis to the State laboratory, or a State-certified laboratory, in accordance with Env-Ws 325. Please use the enclosed analysis result form when submitting the bacteria sample to your laboratory; and

2. **By February 24, 2006**, submit a "make-up" water sample for nitrate analysis and a "make-up" sample for nitrite analysis to the State laboratory, or a State-certified laboratory, in accordance with Env-Ws 326. Please use the enclosed analysis request form when submitting the chemical samples to your laboratory; and
3. **By February 24, 2006**, submit proof of public notice for the November 2005 bacteria monitoring violation, in accordance with the instructions on the enclosed bacteria public notice template; and
4. **By February 24, 2006**, submit proof of public notice for the third quarter 2005 chemical monitoring violations, in accordance with the instructions on the enclosed chemical public notice template.

The proof of public notice, as requested above, should be addressed as follows:

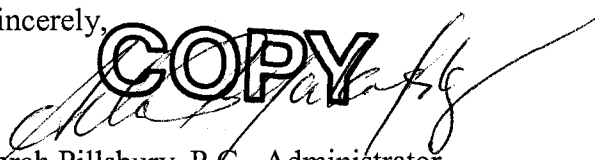
Alan Leach
Department of Environmental Services
Water Supply Engineering Bureau
29 Hazen Drive, P.O. Box 95
Concord, NH 03302-0095

In the event compliance is not achieved within the period set forth above, DES may initiate formal action, including issuing an order requiring the deficiencies be corrected, initiating an administrative fine proceeding, and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

Please be advised that the submission of the requested make-up samples does not relieve the water system from submitting all required 2006 water quality samples. **To assist you in meeting sampling requirements, a copy of the system's Master Sampling Schedule is enclosed.**

If you have any questions regarding this letter, please contact Alan Leach at (603) 271-2854 or by email at aleach@des.state.nh.us.

Sincerely,


COPY
for Sarah Pillsbury, P.G., Administrator
Water Supply Engineering Bureau

h:\wseb\enfmon\enforce\lods\combinations\2006\1288290 bact & chem mr 06-023.doc

encl: Master Sampling Schedule
Public Notice Templates
Analysis Request Forms – make-up versions

cc w/o encl: Gretchen R. Hamel, DES Legal Unit Administrator
DHHS: Restaurant Licensing Bureau
Town of Laconia Health Officer
Jeffrey Vaughn, Ribit Corporation
EPA, Region 1